

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA ]

V. ]

ALEX PEREZ ]

CR. NO. 04-CR10068-RWZ

**MOTION TO CONTINUE RULE 11 HEARING**

Now comes the defendant, Alex Perez, by and through counsel, and respectfully requests that the Honorable Court continue the Rule 11 hearing now scheduled for Thursday, January 13, 2005 to an afternoon convenient to the Court on or after January 25, 2005. As reason therefor, the defendant says that

1. Defense counsel and the defendant have not had the opportunity to confer with each other nor with the Assistant United States Attorney, primarily due to the fact that defense counsel had been engaged in a three and a half week trial in Suffolk Superior Court which commenced on November 29, 2004 and ended on December 21, 2004 while simultaneously continuing preparation for the six to eight week trial in United States v. Monteiro, et al, 03-CR-10329, which will commence on January 31, 2005.
2. The defendant and counsel are not currently prepared to engage in entry of a plea until there is an agreement, at least in principle, between the Government and the defendant.
3. It is anticipated that the United States Attorney's Office and the defendant will be able to finalize all matters precedent to a knowing and voluntary plea in this matter prior to January 31, 2005, however, additional time is required.

WHEREFORE: The defendant respectfully requests that the Court continue the plea hearing until on or after January 25, 2005.

Respectfully submitted,  
By his attorney

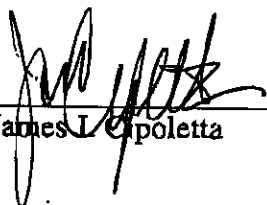


James J. Cipolletta  
BBO# 084260  
385 Broadway  
Revere, MA 02151  
781-289-7777

January 11, 2005

**CERTIFICATE OF SERVICE**

I, James J. Cipoletta, attorney for the defendant Alex Perez, hereby certify that I have served a copy of the foregoing motion upon the United States Attorney's Office by faxing and mailing a copy to David Tobin, AUSA, One Courthouse Way, Boston, MA 02110 on this 11<sup>th</sup> day of January, 2005.

  
James J. Cipoletta

January 11, 2005